

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT

Missoula Field Office
3255 Fort Missoula Rd
Missoula, Montana 59804

CATEGORICAL EXCLUSION REVIEW AND DECISION RECORD

A. Background

BLM Office: Missoula Field Office

Lease/Serial/Case File No.: MTM-107931

NEPA Number (if applicable): DOI-BLM-B010-2016-0015-CX

Proposed Action Title/Type: DNRC Road Right-of-Way Amendment

Location of Proposed Action: T. 12 N., R. 11 W., P.M.M., SE $\frac{1}{4}$ SW $\frac{1}{4}$ of sec.14;
T. 12 N., R. 11 W., P.M.M., NE $\frac{1}{4}$, SE $\frac{1}{4}$ of sec.26
Powell County

Description of Proposed Action: To amend the original Right-of-Way MTM-107931 from a temporary right-of-way to a permanent (Reciprocal) right-of-way grant.

B. Land Use Plan Conformance

Name of Plan: Garnet Resource Management Plan, as amended. Date Approved: 1/10/86. The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM MS 1617.3). The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision.

Section: Page 15, Chapter 2, Lands Program Guidance, (B) Resource or Land Use Allocations

3. Lands will be available for further consideration and possible routing of utility and transportation right-of-ways. (MAs 2, 3, 5, 6, 7, 12, 13, and 14)

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E, (16) *Acquisition of easements for an existing road or issuance of leases, permits, or right-of-way for the use of existing facilities, improvements, or sites for the same or similar purpose.*

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. It has been reviewed to determine if any of the extraordinary circumstances apply as described in 43 CFR 46.125.

Extraordinary Circumstances

The project would:

1. Have significant impacts on public health or safety.

Yes	No X	Rationale: <i>This proposed action would not have significant impacts on public health and safety.</i>
------------	----------------	---

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

Yes	No X	Rationale: <i>This proposed action would have no effects on any other resource.</i>
------------	----------------	--

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Yes	No X	Rationale: <i>There are no unresolved conflicts associated with this proposed action.</i>
------------	----------------	--

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes	No X	Rationale: <i>There are no known unique or unknown environmental risks.</i>
------------	----------------	--

5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.

Yes	No X	Rationale: <i>This proposed action does not set a precedent for future actions that would normally include an environmental analysis.</i>
------------	----------------	--

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Yes	No X	Rationale: <i>The proposed action does not have direct relationships to other actions.</i>
------------	----------------	---

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

Yes	No X	Rationale: <i>Class III Cultural Inventory was done and the proposed project will have no effect to significant historic properties. See report in Case File</i>
------------	----------------	---

8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Yes	No X	Rationale: Fisheries: <i>There are no issues or concern.</i> Sensitive Plants: <i>There are no issues or concerns regarding special status plant species.</i> Wildlife: <i>No wildlife or Endangered Species concerns.</i>
------------	----------------	---

9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

Yes	No X	Rationale: <i>The proposed action would not violate any Federal law, State, local or tribal law.</i>
------------	----------------	---

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Yes	No X	Rationale: <i>No known impacts on low income or minority populations.</i>
------------	----------------	--

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Yes	No X	Rationale: <i>No known impacts to sacred sites.</i>
------------	----------------	--

12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Yes	No X	Rationale: <i>The project would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.</i>
------------	----------------	---

DECISION
DOI-BLM-B010-2016-0015-CX

Decision

It is my decision to grant the amendment of original Right-of-Way MTM-107931.

In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required under the National Environmental Policy Act (as documented in the attached CX, Section C. NEPA Compliance).

Rationale

The proposed action meets the criteria for the categorical exclusion in 516 DM 11.9 E. (16) and none of the extraordinary circumstances apply. The proposal is consistent with the purpose for which the public lands and roads are managed, is in the public interest, is consistent with Federal, State, or local laws, and does not have any environmental consequences. Further, the action is in conformance with the Garnet RMP, approved on January 10, 1986, and the proposed grant contains terms and conditions to implement Bureau right-of-way guidance, Garnet RMP Best Management Practices, and Missoula Field Office standard operating procedures. This action will not have any adverse impacts on the President's Energy Policy, Executive Order 13212.

Implementation Date

This project will be implemented after the date of the Grant Issued Decision.

Signature

Joe L. Ashor
Field Manager

Date

Administrative Review or Appeal Opportunities

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. The decision shall take effect immediately upon issuance of a Grant Issued decision signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issue a stay.

Contact Person

For additional information concerning this decision, contact:

Lonna Sandau
Realty Specialists
Missoula Field Office
3255 Fort Missoula Rd
Missoula, MT 59804
406-329-3914